

Walton County Public Works Division Policy and Procedure

Subject/Situation: Right-of-Way (ROW) Policy

Point of Contact: Public Works Director

Intent:

Walton County has the responsibility to maintain roadways as necessary to preserve their integrity, operational safety and function.

This Policy for Rights-of-Way is to establish the minimum requirements for all applications for, and implementation of, private work on Walton County rights-of-way. This Policy provides guidance and procedures for the safe development, design, construction, maintenance, and access control of public and private streets, bikeways, and pedestrian ways for the entire transportation system in the County.

Public Works establishes the following criteria relating to public right-of-way and any requested private improvements within those public rights-of-way:

1. Protection of roadway surface and clear zone
 - a. Any material used within a publicly-maintained roadway shall be approved by the Public Works Director.
 - b. As outlined in the current Florida Green Book, MUTCD, (<http://www.dot.state.fl.us/rddesign/FloridaGreenbook/FGB.shtm>), MUTCD (<http://mutcd.fhwa.dot.gov/>) and other applicable standards. These standards directly address lines of sight and height limits, but the general intent is to only allow low growing vegetation.
 - c. No mounded or raised system landscaping or grading shall be allowed.
2. Protection of Multi-use path surface and clear zone
 - a. Asphalt that meets the established standards of the Public Works Department shall be the only material allowed for use on the multi-use path.
 - b. No driveway materials shall be allowed to interrupt the asphalt multi-use path.
 - c. No understory or canopy trees, as defined by the Walton County Land Development Code 5.01.02, shall be approved in association with a right-of-way use permit.

Drafted by: Public Works Department on August 20, 2014

Approved by Walton County Board of Commissioners on: August 26, 2014

3. Driveway Connections
 - a. All driveway construction material that will be placed within the right-of-way shall be approved by Walton County Public Works
 - b. Driveway separation requirements shall adhere to the requirements of the Walton County Land Development Code Section 5.04.04 Access Management

4. Protection of roadway drainage system(s)
 - a. Established/Historical Drainage System – All existing drainage systems will be protected and preserved.
 - b. Engineered Stormwater Plan - Dependent upon the complexity of the proposed improvement, staff may require that an engineered stormwater plan be developed.
 - c. Non-Established Drainage System – If there is no established drainage system, the permittee will implement a drainage system where possible as required by staff before installing vegetation.
 - d. Edge of Pavement – At no time may the shoulder material or vegetation be placed so as to impede the flow of stormwater from the traveled way. The edge of pavement along the roadway must be maintained in a manner that prohibits future erosion so as to protect public safety.

5. Protection of public parking spaces
 - a. Where public parking is allowed in the right-of-way by Walton County, landscaping or other structures are prohibited.

6. Protection of underground utilities
 - a. A Sunshine 811 utility spot will be called in before any excavation begins.
 - b. Any landscaping or hardscape that could adversely impact underground utilities shall not be allowed.
 - c. Utility companies must, on occasion, maintain their utilities. Any damage associated with the permitted improvements shall be the responsibility of the applicant to repair.

7. Ease of maintenance and maintenance history of requestor
 - a. No vegetation shall be allowed that would under normal growth circumstances, infringe on lines of sight, clear zone, or potentially cause unsafe conditions on either the multi-use path or roadway.

8. Irrigation
 - a. Xeriscaping in accordance with the Walton County Land Development Code section 5.01.04 is encouraged.
 - b. Irrigation shall be maintained in a manner that does not inconvenience users of the roadway or multi-use path.

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- c. Irrigation shall not be allowed to spray on roadway or multi-use path.

9. Structural/Hardscape

- a. Sidewalk – Installation of pedestrian facilities is encouraged /allowed as long as they have the potential to interconnect with other pedestrian facilities.
- b. Garbage/Trash Receptacles – The installation of permanent garbage and trash receptacles within the public right-of-way shall not be allowed.
- c. Mailboxes – All mailbox installation must be compliant with the most current FDOT standards for break-away installation. Under no circumstances shall structurally reinforced mailboxes be allowed within the clear zone of the roadway.
- d. Fences – No fences, chains or walls shall be allowed within the public right-of-way.

(Land Development Code 5.04.06, Ord. No. 2005-02)

10. Environmental

- a. All permits having an impact on environmentally-sensitive areas within Walton County rights-of-way are the sole responsibility of the applicant. No right-of-way improvement permit shall be issued until the applicable permits are provided to Public Works.

11. Enforcement

- a. Any unpermitted landscaping or improvements placed within the county right-of-way are subject to be removed immediately at the owner's expense.
- b. Approved landscaping or other improvements placed within the right-of-way must be regularly maintained in a manner not to present a safety hazard.
- c. If a permitted landscape plan falls into a state of disrepair or is not regularly maintained, Public Works will make one attempt to have the applicant correct the issue. If the issue is not resolved in 30 days, Public Works reserves the right to revoke the right-of-way improvement permit at any time.

Permit Procedure:

1. Public Works will receive a completed right-of-way permit application for review.
2. Public Works staff will make contact with the applicant and schedule a meeting if necessary to evaluate the landscaping request as submitted.
3. A Public Works designee will conduct a site visit on all permit applications to verify that the desired improvements do not create potential traffic, pedestrian, drainage or safety-related concerns.
4. Staff will review the right-of-way permit application to ensure it meets the requirements set forth in the Walton County Right-of-Way Policy.
5. Upon a complete and satisfactory review of the permit application, the Public Works Director or his designee will issue a right-of-way improvement permit.
6. Upon approval, the applicant shall notify Public Works at least 48 hours prior to the work commencing.
7. A permitted right-of way project must be completed within a 30 day time period, unless extenuating circumstances arise and written notice of same is provided to, and accepted by, Public Works.
8. After a permitted right-of-way project is complete, permittee shall contact Public Works who will conduct an inspection of the improvement(s) for compliance with the permit.
9. If the right-of-way project is not in compliance with the permit, compliance must be achieved within 30 days; otherwise Public Works has the authority to remove it from the right-of-way.

BOARD OF COUNTY COMMISSIONERS
WALTON COUNTY, FLORIDA

BY: _____


W.N. "Bill" Chapman, Chairman

Drafted by: Public Works Department on August 20, 2014

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